

REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

The specification and drawings have been amended as discussed below. No new matter has been added.

Claims 1-6, 8-12, 14-18, 20-22, and 24-31 are pending in this application, with Claims 1, 12, 14, 22, and 24-31 being independent. Claims 7, 13, 19 and 23 have been cancelled without prejudice.

Claims 1-3, 5, 8, 9, 12, 14-16, 18, 20, 22, and 24-31 have been amended. Applicant submits that support for these amendments can be found in the original disclosure, and therefore no new matter has been added..

The drawings were objected to for various reasons. In response to those objections, Applicant has the following comments to be considered in conjunction with the accompanying seven replacement sheets:

1. In response to the Examiner's assertion that Figs 1-6 should be labeled as "Prior Art," those figures have been so labeled.
2. In response to the objection to Fig. 7 because there are two reference numbers "116" pointing to the same object, Fig. 7 has been amended to delete one of the duplicative reference numbers.
3. In response to the objection that the specification refers to Comparator 211 rather than Comparator 212, the specification has been amended at page 23, line 18 to change "211" to --212--.

In view of the above comments and amendments, Applicant respectfully requests withdrawal of the drawing objections.

Claim 2 was objected to based on a typographical error. That error has been corrected.

Claims 1, 4-14, 17-20, and 22-27 have been rejected under 35 U.S.C. §101. The Examiner asserts that each of these claims is directed solely to the abstract manipulation of data. Applicant respectfully traverses this rejection. Claims 1, 4-6, 8-14, 17, 18, 20, and 22 are apparatus claims and are each respectively directed to a particular claimed structure.

Those claims clearly fall within the statutory category of a machine. Claims 23-27 are method claims that do not merely recite abstract manipulation of data but rather are respectively directed to a specific practical application of an algorithm in order to transform contents data by adding information or to perform control. Therefore, Applicant submits that these claims also constitute statutory subject matter. Reconsideration and withdrawal of the Section 101 rejection are requested.

Claims 1-6, 10-12, 14-16, 21, 22, and 24-31 have been rejected under 35 U.S.C. 102 as being anticipated by WIPO Patent Publication No. 99/48296 (Shamoon et al.). Claims 7-9, 13, 17-20, and 23 have been rejected under 35 U.S.C. §103 as being obvious over Shamoon et al. in combination with U.S. Patent Publication No. 2001/0016851 (Gramsasmer et al.). Applicant respectfully traverses these rejections for the reasons discussed below.

As recited in independent Claim 1, the present invention includes, *inter alia*, the features of forming intellectual property management information from information of at least one of a patent and a utility model so as to control data processing of contents data and adding to the contents data the intellectual property management information. With these features, illegal reproduction of contents data can be prevented and collection of license fees for use of a patent or utility model can be facilitated. Applicant submits that the cited art fails to disclose or suggest at least these features.

Shamoon et al. discloses decoding of an MPEG stream using an IPMP stream that includes a control message 503 (Fig. 5), which includes a rule and a key (See Fig. 7 and column 12, line 11 to column 19, line 5). However, that patent fails to disclose or suggest at least the feature of forming the control message from information of at least one of a patent and a utility model. Applicant submits that Gramsasmer et al. fails to remedy that deficiency. Gramsasmer et al. discloses the assignment of a unique ID (UID) to a patent

document to avoid mis-retrieval of a patent document caused by having the same patent numbers. However, that UID information is used only to manage retrieval of the corresponding patent document, and Gramsasmer et al. does not disclose or suggest that information be formed from at least one of a patent and a utility model to control data processing of contents data.

Accordingly, whether considered individually or in combination (assuming the cited art could properly be combined), the cited art does not disclose or suggest at least the above-mentioned features of independent Claim 1.

Independent Claims 12, 24, 25, 28, and 29 recite similar features to the above-mentioned features of Claim 1 and are believed patentable for similar reasons.

Regarding independent Claim 14, the present invention as recited in that claim includes, among others, the features of inputting intellectual property management information formed from information of at least one of a patent and a utility model, discriminating on the basis of the intellectual property management information whether use of the patent and the utility model are authorized, and controlling decoding means according to the result of the discrimination. Applicant submits that the cited art fails to disclose or suggest at least these features as well, and therefore Claim 14 is believed to be patentable over the cited art.

Independent Claims 22, 26, 27, 30, and 31 recite similar features to the above-mentioned features of Claim 14 and are believed patentable for similar reasons.

The dependent claims are believed patentable for at least the same reasons as the respective independent claims from which they depend, as well as for the additional features they recite.

In view of the foregoing, this application is believed to be in condition for allowance. Favorable reconsideration, withdrawal of the outstanding objections and rejections, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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